

EDITH FOI.

Pawhuska, Okla.

Material.

2.

Stated to Agent Burger that Catherine Cole, the wife of Kelsie Morrison, stated to her that she and Kelsie Morrison, on the night of May 21, 1921, or early morning of May 22, were riding in a car closely following the car in which Bryan Burkhart and Arma Brown were riding, and that Kelsie Morrison drove up behind the Burkhart-Arma Brown car, and shot Arma Brown in the head; that her body was then taken to the spot where it was later found; and that Bill Hale paid Morrison \$1500 for killing Arma Brown.

3.

Page 696
Part. Last

subpoena and question fully before using before Grand Jury.

This witness is now out on bond pending appeal of her conviction of violation of National Motor Vehicle Theft Act.

J. L. BRIDGES,
Campbell, Texas.

Conspirator

2. Stated by George James that J. L. Bridges was in the drinking party with Bryan Burkhardt, Anna Brown, George James, Edith Davis and Bill Hale on the night on May 21, 1921, at a whiskey joint west of Ralston, where they stayed until 10 P. M.; that while there Hale, Bridges and Bryan Burkhardt planned the murder of Anna Brown; that Bryan Burkhardt, Bridges and Anna Brown, in Ernest Burkhardt's Buick car, drove to Paul John's roadhouse near Burkhardt, and George James, Edith Davis and Bill Hale started for John's roadhouse in a Ford, Hale leaving them somewhere on the way; that the party in the two cars met at John's roadhouse about 11:50 P. M., where they stayed until about 12:30 A. M.; they then drove to Shorty Morgan's whiskey joint just east of Burkhardt, where they bought whiskey, but did not get out of the cars; they then drove toward Fairfax, James and Edith Davis leaving the others at a cross roads and drove east away from Fairfax, and Bryan Burkhardt, Bridges and Anna Brown in the Buick car going in another direction west from Fairfax. This was about 5 A.M. Sunday May 22, 1921.

Bridges stated to Agents Seiser and ... in January 1924, that he, his wife and children arrived in their ... the home of Ernest Burkhardt ...

3. ... Not to ... based before ... and Jury.

Page 688
Par. Last

1.
J. L. WIDOMS.
(continued)

2.

he related in detail the movements of himself and family and the Burkharths on the afternoon and evening of May 21, all of which is contradicted by the statements of other witnesses, and his statement was evidently prepared to conform to the testimony of Bryan and Ernest Burkhart at the coroners inquest.

3.

1.

MRS. J. L. BRIDGES,
Campbell, Texas.

2.

Interviewed by Agents Weiss and Burger
in January 1924, just before these Agents
interviewed her husband. Her statement
corresponded with that of her husband in
all details.

3.

Page 561
Par. all

subpoena and question
ably before using
before Grand Jury.

This witness is a
sister of W. K.
Walls, and an aunt
of Bryan and Er-
nest Burkhardt.
She is plainly pre-
pared to testify to
anything deemed
necessary to clear
Bryan Burkhardt, as
she repeatedly stat-
ed that the Burk-
harts were very near
and dear to her, and
the children of her
sister. She is
somewhat of a nar-
row tempered, and
as a witness, would
not stand up well
on intricate mat-
ters.

1.
BLACKIE GORD,

Pawhuska, Okla; Jail.

Conspirator.

2.
Stated by Dewey Selph that Blackie Gord was present at the poker party at Ernest Burkhardt's home just prior to the murder of Anna Brown, at which time Ernest Burkhardt made them a proposition that he would pay \$5000 to have Anna Brown done away with.

W. O. Bailey made statement in which he corroborated statement of Dewey Selph, and added that when propositioned by Ernest Burkhardt, Blackie Gord remarked that he would bump off anybody for \$5000, and that some time later Blackie Gord remarked to him, Bailey, that he bumped one Qsage squaw, that he and Kelsie Morrison killed Anna Brown, and that Ernest Burkhardt paid them \$5000. for doing the job.

3.
Page 781
Par. last

Page 780
Par. last

Conspirator. Not to be used before Grand Jury.

Now held in County Jail at Pawhuska on Federal charge of obstruct from interstate shipment.

appears and question
ably before using
fore Grand Jury.

Page
Par.

Was formerly a Deputy Sheriff of Osage
County, and is alleged to have material
information regarding murder, of Anna
Brown.

JAMES JENKINS,
% Hominy Cotton Oil
and Ice Co.,

Hominy, Okla.

Material.

Subpoena and question
return to Grand Jury.

3.

Alleged to have said that while at a
dance with Ernest Burkhart, who was drink-Par-
ing, he told her that he knew who killed
Anna Brown.

1.

MARY SMARR,

~~near Hominy, Okla.~~

Dewey, Okla.

Material.

MANDY CLAREMORE,
Fairfax, Okla.

Material.

8.

Alleged to have stated that on the night of May 21, 1921, she and Mary Blackbird and others were on a party near the spot where Anna Brown's body was later found; that while there they saw and heard Anna Brown, Bryan Burkhardt and others who were also having a party; that they, Mandy Claremore and Mary Blackbird and their friends, moved a short distance away from where the Anna Brown-Bryan Burkhardt party was going on, and a short time later heard two shots, evidently fired by some member of the Anna Brown-Bryan Burkhardt party, and heard some talking.

Mrs. J. Merber is alleged to have stated that Mandy Claremore told her that about midnight of May 21, 1921, Bryan Burkhardt and Anna Brown came to Mandy Claremore's house at Grayhorse in a car together, and Bryan Burkhardt borrowed from Mandy a small caliber gun that belonged to Hall Goode; Mandy Claremore's brother, that Mandy Claremore stated that Bryan had never returned this gun, and Hall Goode for some reason, probably fear, has never asked for it back.

9.

Page 168
Par. Last

subpoena and question
fully before using
before Grand Jury.

This witness on
being interviewed,
admitted any knowledge
of this alleged in-
formation. Her de-
tail is believed to
be due to fear that
she will be killed
by the Hale-Burkhardt
gangs.

Mandy Claremore and
Mary Blackbird are
well blooded, large
woman of very light
complexion.

C. T. McDOWELL,
A. & M. College,
Stillwater, Okla.

Is professor of Chemistry at A. & M. College. Can testify that he was called and examined the ruins of Smith's home a few days after the explosion, and that his firm opinion is that the explosion was caused by a large charge of T. N. T. or nitroglycerine or a similar high explosive, and could not have been caused by gas or gasoline, and can testify as to the physical results of the explosion on the concrete basement, walls and other parts of the house.

Material

5.

Proposed and question
ably before using
before Grand Jury.

Page 675
Par. last.

1.

JOHN THOMPSON,

% Osage Torpedo Co.,

Pawhuska, Okla.

Material.

2.

Can testify that one or two days before the Smith home was blown up, a magazine of the Osage Torpedo Co., situated on the Scheidel farm about fifteen miles north of Fairfax, in Osage County, was broken into by tearing off some boards, and ten quarts of nitrogen glycerine were stolen; that the stolen nitrogen glycerine has never been located or recovered, and no clues found as to who had stolen it; and that the magazine is located in an isolated section.

3.

Page 672
Par. last.

by and question
fully before using
before Gr and Jury.

1.
MR. CORBETT,

City Water Pumping
Station,

Fairfax, Okla.

Material.

2.

Henry Oats stated to Agents Weiss and Burger that he had learned through two bakers at Fairfax that Corbett stole the nitroglycerine that was used to blow up Smith's home from an oil company's camp; that he turned it over to twomen who did the job, and that these two men lived about twenty-five miles from Fairfax.

3.

Page 295
Par. 3

subpoena and question
fully before using
before Grand Jury.

H. E. WILSON,
Fairfax, Okla.:

Material.

2.

Coroner. Can testify that the coroners jury which inquired into the death of W. E. Smith came to the conclusion that death was caused by an explosion which wrecked him home, the explosive being placed there and touched off by parties unknown.

3.

Page 149,
2nd par.

subpoena and question
daily before using
before Grand Jury.

W. M. COOPERLAND,
Fairfax, Okla.

Material.

This witness was a member of Coroner's jury, together with Elck Crandall, Henry Ward, W. C. Lynn, A. D. Reckman and F. C. Hoefler. Magistrate H. E. Wilson, Coroner.

Page 149.
par 2.

Subpoena and question
fully before using be-
fore Grand Jury.

Cooperland is thought to
be a friend of the male
factor and not reliable.
However, divulge
all he knows when Hale
and associates are in
custody.

W. G. LYNN,
Fairfax, Okla.

This witness was member of Coroner's jury, together with Dick Crandall, Henry Ward, A. D. Rackman and F. O. Hoefler. Magistrate H. E. Wilson, Coroner.

Alleged to have stated that Kelsie Morrison told him just prior to the blowing up of Bill Smith's house that something terrible was going to happen, and after the explosion, told Lynn that he, Morrison, knew all about who blew up Smith's house.

Just prior to the blowing up of Smith's house, Smith stated to Lynn that he, Smith, expected to be murdered, and probably gave Lynn other details.

Suppose the question fully before being before Grand Jury.

Lynn is reported to be a reliable citizen and anxious to see guilty parties prosecuted and has frankly stated on numerous occasions to investigate to find out that in his judgment, Hale and his associates are directly responsible for the murder of George Imkins and the blowing up of the W. B. "Bill" Smith family.

Special Agent in Charge, operating under cover, is receiving information from operation and source and Lynn, etc.

Material.

A. D. BOGIAN,
Fairfax, Okla.

Material.

2.

This witness was member of Coroner's
Jury, together with Dick Crandall, Henry
Ward, M. G. Lynn, and F. C. Hoefler; E. L.
Wilson, Coroner.

3.

Page 149, Subpoena and Question
2nd par. filed before using be-
fore Grand Jury.

DICK CRANDALL,
Fairfax, Okla.

1.

2.

This witness was member of Coroner's jury, together with Henry Ward, W.G. Lynn, A.D. Reckman and T. C. Koefler; H. E. Wilson, Coroner.

3.

Page 149, 2nd par.

4.

Subject and question fully before using before Grand Jury.

Material.

Alleged that Dr. D. A. Shoun stated that Dick Crandall was present at the time that Bill Smith, just before his death, stated that Ernest Burkhardt and Bill Hale were the only enemies he had on earth that he could suspect of having blown up his home. Crandall possibly heard other death-bed statements made by Smith.

1.

F. C. HOFFER,
Fairfax, Okla.

Material.

2.

This witness was member of Coroner's
Jury, together with Henry Ward, W.G. Lynn,
A. D. Reckman and Dick Grandall; N. E.
Wilson, Coroner.

3.

Page 149.
End per.

Subj. and question
fully before using be-
fore Grand Jury.

Special Agent's recent
investigation develops
this witness is friendly
to the Hale faction.

1.

MR. ROSE,
Fairfax, Okla.

2.

It is alleged that this witness testified No ref.
at the Coroner's inquest. It is believed
that this witness can give information of
material value.

3.

Supplement and question
full before using
before Grand Jury.

4.

174
CHANNING

D. E. JOHNSON,
Fairfax, Okla.

2.

Stated by Dr. D. A. Shoun that Johnson was present at the time that Smith, just before his death, stated that Ernest Burkhart and Bill Hale were the only ones he had on earth that he could suspect of having blown up his home.

Stated to Agent Wright that on March 12, 1923, at the time Smith signed administration papers, Smith stated that he had "expected this to happen", meaning that he had expected foul play.

Material.

Page 23
Par. Last.

Subpoena and question
furnish before using
before Grand Jury.

This witness was Smith's
attorney, and repre-
sented him in his suit
against Hale.

Page 18
Par. 1

HENRY WARD,
Fairfax, Okla.:

Manager, Jewett Auto
Sales Co.

Material.

2.

Stated by Dr. D. A. Shown that Ward was present at the time that Smith, just before his death, stated that Ernest Burkhart and Bill Hale were the only enemies he had on earth that he could suspect of having blown up his home.

3.

Page 28
Par. last.

Subpoena and question
served fully before using
before Grand Jury.

J. W. HURCHINSON,
Fairfax, Okla.

Material.

2.

It is alleged that Dr. D. A. Shoun stated that this witness (Hutchinson) was present at the time that Bill Smith, Burkhart and W. K. "Bill" Hale were the only enemies he had on earth that he could suspect of having blown up his home.

3.

Page 22,
last par.

Subpoena and question
fully before us being be-
fore Grand Jury.

This witness is now and
was at the time of the
blow-up of Smith's home,
a Deputy Sheriff of
Osage County. He is
a man, and bears the
reputation of not being
dishonest.

1.

A. C. HUNSAKER,
Fairfax, Okls.

Material.

2.

Alleged to have been present at the time that Smith, just before his death, stated that Ernest Burkhart and Bill Hale were the only enemies he had on earth that he could suspect of having blown up his home.

3.

Page 670
Par. 1

subpoena and question
daily before using
before Grand Jury.

MRS. MARGARET HIMES
MITCHELL,

Hammou, Okla.

Material:

Stated to Agent Murphy that she was night nurse of W. E. Smith when he was in the hospital at Fairfax just after the explosion; that he never made any statements to her regarding who might be responsible for blowing up his house; that she was not present when Smith made a dying statement, as she was asked to leave the room by Dr. Shoun, and that the only ones present were Dr. Shoun and some attorneys whom she did not know. She also stated that some time later she was nurse for Bryan Burkhardt, at his home for one day only; that while there Bill Hale visited him and she was asked to leave the room so they could talk; that in a short time Bill Hale came out where she was and tried to engage her in conversation, finally asking her if Bill Smith had made a dying statement, to which she replied: "if he did I would not be telling it."

Page 774
Par. 2

Subpoena and question
served on Smith
before Grand Jury.

DR. J. T. MITCHELL,
Elk City, Okla.

2.

This witness was a doctor for the Osage Indian Agency during the time W. E. "Bill" Smith was murdered. He was also the husband of the nurse who attended Bill Smith at the time of his death, and Dr. Mitchell should have information of material value to this investigation.

3.

None.

Subpoena and question
fully before being be-
fore Grand Jury.

R. D. COLOMBE,
Banker,
Fairfax, Okla.

2. This witness is alleged to have stated that on the afternoon of March 9, 1923, he accompanied Bill Smith to Henry Grammer's place and purchased some whiskey; that on this trip Bill Smith told him, Colombe, of his (Smith) fear of Bill Hale and the Burkhardt, and that he expected to be murdered by them at any time. Colombe is alleged to have detailed information concerning transfer of Bill Smith's property.

3. Page 410, last par.

Subjunctive and question
fulfill before using be-
fore Grand Jury.

Colombe, while he was
a friend of Bill Smith's,
is not present apparently
a friend of Bill Hale's.
However, it is believed
that he, like many
others, will divulge
material information
after Hale and his
allies are in custody.

1.

A. W. COMSTOCK,
Pawhuska, Okla.

Material.

2.

Alleged to have been present at the time that Smith, just before his death, stated that Ernest Burkhart and Bill Hale were the only enemies he had on earth that he could suspect of having blown up his home.

Comstock stated to Special Agent Smith that he, Comstock, took Bill Smith to the Indian Agency and told them that if they did not give Smith protection, Smith would not live 30 days, that he would be murdered. That just exactly 30 days after that Smith's home was blown up and Smith died a couple days later from injuries received in the explosion.

3.

Page 670
Par. 1

Subpoena and question
fully before using
before Grand Jury.

ROY MOSSBERGER,
Grayhorse, Okla.

Material

2.

Stated to Agent Weiss on June 24, 1924, that shortly before the explosion at Smith's home, he was sitting on the porch of the store at Grayhorse with Bryan Burkhardt; that he had known Bill Smith and the Burkhardt's a long time before these murders; that at the time he and Bryan Burkhardt were sitting on the porch Mossberger recognized Bill Smith's car approaching and said to Bryan Burkhardt "here comes Bill Smith"; that Burkhardt became very nervous, stood up, put his hand in his hip pocket and said "let the s--- of a b----- come"; that Mossberger then saw that Bill Smith was not in the car, but just Mrs. Smith and the hired girl, and said to Bryan Burkhardt "it is not Bill Smith", and Burkhardt took his hand from his hip pocket and replied, "it is a d--- Good thing for him."

3.

Page 535 A
Par. 2 & 3

Bryana and question
fully before using
before Grand Jury.
Mossberger at first
refused to tell the
above, stating as an
excuse that everybody
knowing there knew the
Burkhardt and Hale
much had done or
wanted all these in-
dian murders, and that
they would bump him
off, too, if they heard
he was telling things
like the above and
that while he is no
ward, he has a wife
and two children de-
pendent upon him and
doesn't want to be
ordered by that

MRS. WILLIAM HALETT,
Red Fork, Okla.

2.

This witness is alleged to have stated that she worked as a domestic for Bill Smith, and often heard Smith and wife discuss the Anna Brown murder; that she heard Bill Smith repeatedly state that Bill Hale owed him, Smith, \$5000 and would not pay it.

3.

Page 329, This witness will be
last par. supposed on the
Anna Brown case, at
which time she will
be thoroughly question-
ed regarding the state-
ment she is alleged to
have made.

GRACE BURKHART.

Address Unknown.

2.

Alleged to have stated that an Indian at Grayhorse, Okla. by name Roan Horse, had warned J. E. "Bill" Smith that Bill Hale and Ernest Burkhart would kill him, Bill Smith.

3.

Subpoena and question
filing before sitting be-
fore Grand Jury, if
decreed.

1.

MARY BLACKBIRD,
Fairfax, Okla.

Material.

2.

Mandy Claremore is alleged to have stated that on the night of May 21, 1921, she and Mary Blackbird were on a party near the spot where Anna Brown's body was later found; that while there they saw and heard Anna Brown, Bryan Burkhardt and others who were also having a party; that they, Mandy Claremore and Mary Blackbird and their friends, moved a short distance away from where the Anna Brown-Bryan Burkhardt party was going on, and a short time later heard two shots, evidently fired by some member of the Anna Brown-Bryan Burkhardt party, and heard some talking.

3.

Page 168
Par. 1st

Subpoena and question
fully before using
before Grand Jury.

This witness, on
being interviewed,
denied any knowledge
of this alleged infor-
mation. Her denial
is believed to be
sincere to fear that she
will be killed by
the Hale-Burkhardt
gang.

MRS. J. MEROER,

~~Delaware~~ - Okla

Lawfusta, Okla.

Material.

2.

Alleged to have stated that Mandy Claremore told her that about midnight of May 21, 1921, Bryan Burkhardt and Anna Brown came to Mandy Claremore's house near Grayhorse in a car together and Bryan Burkhardt borrowed from Mandy a small caliber gun that belonged to Hall Goode, Mandy's brother; that Mandy Claremore stated that Bryan had never returned this gun, and Hall Goode for some reason, probably fear, has never asked for it back.

3.

Page 229
Par. 1228

subpoena and question
ably before hearing
before Grand Jury.

This witness is a
full blooded Ogea
and will not give
voluntarily any in-
formation sha ob-
tains from other in-
terviews, presumably
through fear of the
Shale-Burkhardt gang.
She was raised and
educated in a con-
vent.

OSAGE INDIAN MURDERS

W. L. BIALI SMITH CASE.